

over it at this point that we pass the bill, and there is still time to do that. I offered that I would leave the bill precisely as it is and withdraw my attempt to change it if Senator Wesely would do the identical thing, because, I repeat, no matter what we say or do here, it ultimately is going to be decided by the Supreme Court and all the insurance companies will react in response to that as will we. Senator Fowler raised a very valid point when he said, why don't we take into consideration smokers and why don't we take into consideration this and that? Answer, we do. That is the very essence of the insurance you buy and these refinements probably need to be made....

PRESIDENT: One minute.

SENATOR DeCAMP:in our state legislation at some point. But you can buy nonsmoker's insurance. They do distinguish. They do differentiate on the basis of heart records and a variety of other things, so they are making those distinctions by class. So I make one final request. Senator Wesely, if you will withdraw, I will withdraw. We can read the bill and vote on it and let this issue be decided by the Supreme Court and react at that point. I will withdraw mine based upon the hope and theory that he will, otherwise we will be mumble jumbling here forever. This is an extremely important bill. This is the whole pension system for these first class cities we have been battling over for years. It is multi, multi millions of dollars that have to get straightened out one of these days, and this is the vehicle to get it done. If I have to carry this other trojan horse through to get it done temporarily till the Supreme Court rules, so be it. But the bill has to get passed and somewhat quickly. I will withdraw it and hope that he will be smart enough to do the same.

PRESIDENT: We have been building up to a vote on the motion to return the bill to Select File. Now you are withdrawing that motion, Senator DeCamp?

SENATOR DeCAMP: It is a calculated gamble that everybody will realize how important it is to get the bill passed.

PRESIDENT: Very well, without objection it is withdrawn and Senator Wesely, do you wish recognition? Very well, is there anything else on the bill, Mr. Clerk?

CLERK: Senator Wesely, do I understand then that you are withdrawing? Mr. President, Senator Wesely would move to return LB 237 to Select File for a specific amendment.

PRESIDENT: Senator Wesely.